

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

|                            |   |                                      |
|----------------------------|---|--------------------------------------|
| <b>WILLIAM D. MORRIS,</b>  | : | <b>CIVIL ACTION NO. 1:01-CV-1729</b> |
|                            | : |                                      |
| <b>Plaintiff</b>           | : | <b>(Judge Conner)</b>                |
|                            | : |                                      |
| <b>v.</b>                  | : |                                      |
|                            | : |                                      |
| <b>DONALD H. RUMSFELD,</b> | : |                                      |
|                            | : |                                      |
| <b>Defendant</b>           | : |                                      |

**ORDER**

AND NOW, this 23rd day of April, 2007, upon consideration of defendant's motion in limine (Doc. 65) seeking to preclude plaintiff from offering any medical record exhibits at trial except for the exhibits included in plaintiff's list of exhibits, and it appearing that plaintiff does not intend to offer any other medical records as exhibits (see Doc. 68),<sup>1</sup> it is hereby ORDERED that the motion in limine (Doc. 65) is DENIED as moot without prejudice to defendant's right to object to the introduction during trial of any medical record exhibits not included in plaintiff's list of exhibits.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge

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<sup>1</sup> Plaintiff argues that he should be permitted to call the record custodian for his physical therapist as a witness to verify the dates that plaintiff received therapy. (See Doc. 68 at 2-3.) Defendant's motion in limine sought to preclude the introduction of *exhibits*, not *testimony*. Therefore, the court will not address plaintiff's argument at this juncture.